

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DOCKET NO. 03-12583-GAO

DEPENDABLE MASONRY
CONSTRUCTION COMPANY, INC.,

Plaintiff,

v.

GILBANE BUILDING COMPANY,

Defendant.

GILBANE BUILDING COMPANY,

Plaintiff-in-Counterclaim,

v.

DEPENDABLE MASONRY
CONSTRUCTION COMPANY, INC. and
HARTFORD CASUALTY INSURANCE
COMPANY,

Defendants-in-
Counterclaim.

JOINT STATUS REPORT

Plaintiff, Dependable Masonry Construction Company, Inc. ("Dependable"), Defendant Gilbane Building Company ("Gilbane"), and Defendant-in-Counterclaim Hartford Casualty Insurance Company ("Hartford") hereby submit this Joint Status Report in response to the Court's Order for same dated October 13, 2005.

The parties have conducted a mediation and are continuing settlement discussions. The parties have agreed to arbitrate this dispute if it cannot be settled.

GILBANE BUILDING COMPANY

By its attorneys,

HOLLAND & KNIGHT LLP

By: /s/ John W. DiNicola II

John W. DiNicola, II (BBO#629618)

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Dated: October 31, 2005

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In fact, the parties have previously filed a motion to stay this action pending arbitration. If the dispute is not settled, the parties anticipate that the arbitration will commence and conclude within the next six (6) months. The parties have already begun the process of exchanging information and do not anticipate any issues in this regard.

DEPENDABLE MASONRY
CONSTRUCTION COMPANY, INC. and
HARTFORD CASUALTY INSURANCE
COMPANY

By their attorneys,

CORWIN & CORWIN LLP

By: /s/ David E. Wilson
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Dated: October 31, 2005